

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
June 4, 2002**

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
OB		Presentations:	
		1. Expression of Sympathy	1
		2. Smoke Detector	2
		3. Commendation – Mrs. Marjorie A. Davis	2
		4. 2002 McDonald's Air and Sea Show	2
		5. Code Enforcement Officers' Appreciation Week	2
		6. Outstanding City Employees	2
CA		Consent Agenda	2
M-1		Event Agreement – Annual Feast of Plenty	3
M-2		Event Agreement – Walk As One	3
M-3		Event Agreement – Viva Broward	3
M-4		Office Lease Agreement – Caproc Third Avenue, L.L.C., a Michigan Limited Liability Company – Fire-Rescue Department Administration Offices – 101 N.E. 3 Avenue	4 & 12
M-5	Deferred	Membership Dues for FY 2001/2002 – Broward Alliance	4 & 12
M-6		Road Closing – Downtown Live	4
M-7		Assignment of Lease from Kegs Enterprises, Inc. (City Park Mall Café) to Sushi-Ko Express Corporation – Shop 136 in City Park Mall	4
M-8		Contract Award – Thermal Concepts, Inc. – Project 10346 – Replacement of Cooling Towers	4
M-9		Contract Extension – B.K. Marine Construction, Inc. – Project 10356A – Annual (2002/2003) Marine Facilities Repair Contract	5
M-10	Deleted	Termination of Easement – Public Parking along East Commercial Boulevard	5
M-11		Transfer of General Fund Continues – Mark Ulmer – Special Counsel Services for the Hyde Park Market Site Acquisition	5 & 13
M-12		Request for Additional Owner-Occupied Rehabilitation Funding – Jennie Brooks, 2301 N.W. 15 Ct.	5 & 13
M-13		Request for Additional Housing Recovery Project Funding – Charles McBride, 857 N.W. 16 Ave.	5
M-14		Request for Additional Replacement House Project Funding – James Stull – 1228 N.E. 1 Ave.	6
M-15		Agreement – Urban Land Institute – Panel Study of Fort Lauderdale Beach	6 & 13
M-16		Agreement – Florida Atlantic University's (FAU) Anthony James Catanese Center for Urban and Environmental Solutions and The Florid Institute of Government at FAU – Urban Land Institute's Panel Study of Fort Lauderdale Beach	6
M-17		Contract Award – Weekly Asphalt Paving, Inc. – Neighborhood Capital Improvement Program (NCIP) Project 10197 – Victoria Park Improvements	6 & 14

Index of a Regular Meeting
June 4, 2002
Page Two

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
M-18		Contract Award – MCO Environmental, Inc. – Neighborhood Capital Improvement Program (NCIP) Project 10205 – Sunrise Key Improvements	7
M-19		Termination of Encroachment Agreement – Housing Authority of the City of Fort Lauderdale – Use of Right-of-way on N.W. 2 Street for Lakeview Gardens Apartments Playground	7
M-20		Annual Membership Dues – Fort Lauderdale Transportation Management Association (TMA)	7
M-21		Settlement of General Liability File No. GL 97-515B (Carole Grant)	15
M-22	Withdrawn	Conflict of Interest – McKinley Financial Services Enterprise Zone (EZ) Loan Project	15
M-23		Public Disclosure and Discussion of Department of Housing and Urban Development (HUD) Conflict of Interest Regulations and Reconsideration of Selection of the Northwest Redevelopment Project Development Agreement	15
Pur. 1		Fleet Plan for FY 2002/2003	8
Pur. 2		Bid 722-8684 – Purchase of One Forklift	8
Pur. 3		RFP 322-8658 – HOPWA Grant Award – Think Life Property	8 & 14
Pur. 4		Bid 582-7965 – Delinquent Collection Services Contract Extension	9
Pur. 5	Not Approved	Co-Op Contract – One-Year – Horticultural Chemicals	9 & 14
Pur. 6		Proprietary – Asphalt Milling Machine	10
Pur. 7		Bid 622-8651 – Two-Year Contract – Anhydrous Ammonia	10
Pur. 8		Bid 5426876 – Contract Renewal – Aviation Liability Insurance	10
Pur. 9		Bid 592-8188 – Assignment of External Audit Services Contract	11
Pur. 10		Co-Op Bid – Diesel Fuel, Transport Delivery	11
Pur. 11		Bid 522-8694 – Financial Advisory Services	11
PH-1	C-02-11	Development Order – Florida Department of Transportation (FDOT)/Cypress Creek Park and Ride Assoc., Limited Partnership, Lessee – Lightspeed Broward Center Development of Regional Impact (DRC) (PZ Case No. 109-R-00[02])	16
PH-2	C-02-12	Change of Control of the Cable Communications Franchise Resulting from the Agreement and Plan of Merger between AT&T Corp. and Comcast Corp.	19
PH-3	02-95	Intent to Convey Property to the Fort Lauderdale Community Redevelopment Agency (CRA) – Redevelopment of Konover Property located on Broward Boulevard, just West of I-95	20
O-1	C-02-13	Amend Unified Land Development Regulations (ULDR) Section 47-19 – “Accessory Uses, Buildings and Structures” to Permit Construction Staging Areas for Public Construction Projects (PZ Case No. 2-T-02)	21

Index of a Regular Meeting
June 4, 2002
Page Three

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
O-2	C-02-14	Amend Unified Land Development Regulations (ULDR) Sections 47-24 and 47-35 – “Development Permits and Procedures” (PZ Case No. 1-T-02)	22
O-3	C-02-15	Amend Section 26-161, “Rates and Hours for Off-Street Parking” – E. Clay Shaw Bridge (S.E. 17 St. Causeway) Underdeck Parking Areas	23
O-4	C-02-16	Amendment to the Pay Plan – Medical Insurance Contributions by Management and Confidential Employees	24
R-1	02-96	Demolition of Buildings	25
R-2	02-97	Building Board-Up and Securing Charges	26
R-3	02-98	Lot Clearing and Cleaning Charges	26
R-4	02-99	Conveyance of Property – Northwest Neighborhood Improvement District (NWNID) – Development of Affordable Housing	27
R-5	02-100	Release of Request for Proposals (RFP) – Development of Former New River U.S. Post Office Site	28
R-6	02-101	Broward County Shore Protection Project – Segments II and III	29
R-7	02-102	Plat Amendment – D. Fredrico Fazio and TAA Assoc. – Trio Plat (PZ Case No. 9-P-02)	29
R-8	02-103	Vacate Utility Easement – Steven H. Lewis, Trustee (PZ Case No. 8-M-02)	30
R-9	02-104	Reimbursement Resolution for Accelerated Capital Improvement Plan (CIP) Recapitalization Program	30
R-10	02-105	Special Limited Obligation Revenue Bonds – Pine Crest Preparatory School Project	31
OB		Contract Employee for Traffic Engineering	32
OB	02-106	Advisory Board Appointments	33

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
June 4, 2002**

Meeting was called to order at 6:05 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria Katz
Commissioner Tim Smith
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Lewis

Invocation was offered by *Reverend John F. White*, Mount Hermon AME Church.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting May 21, 2002

Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle.
NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expression of Sympathy

Mayor Naugle presented an Expression of Sympathy, on behalf of the City Commission, to the family of *Eric Smith*.

2. Smoke Detector

Commissioner Smith demonstrated the proper way to test the batteries in a smoke detector and encouraged everyone at home to do the same.

3. Commendation - Mrs. Marjorie A. Davis

Commissioner Moore read aloud and presented a Commendation to *Mrs. Marjorie A. Davis* for her many years of service to the City. He also presented her with a Key to the City, a paperweight commemorating this occasion, and a book entitled "The Venice of America." Mrs. Davis said she was overwhelmed and surprised by this honor, and she expressed appreciation for this recognition.

4. 2002 McDonald's Air and Sea Show

Commissioner Hutchinson read aloud and presented a Proclamation declaring June 4, 2002 as "McDonald's Air and Sea Show Day" in the City of Fort Lauderdale. *Mr. Mickey Markoff, MDM Group*, accepted and presented the Mayor and City Commissioners with a commemorative poster of this year's event. Mr. Markoff stated that the purpose of this event was to honor the men and women serving their country and protecting America's freedoms, although the City also benefited from the largest spectator event in the world.

5. Code Enforcement Officers' Appreciation Week

Commissioner Katz read aloud and presented a Proclamation declaring June 3 to 7, 2002 as "Code Enforcement Officers' Appreciation Week" in the City of Fort Lauderdale. Ms. Lori Milano, Director of Community Inspections, accepted the Proclamation on behalf of the Community Inspections Bureau.

6. Outstanding City Employees

The following individuals were recognized as Outstanding City Employees:

- Keary Cunningham, of the Administrative Services Department;
- Sergeant Victor London and Junia Jeantilus, of the Police Department;
- Battalion Chief Robert Simac, of the Fire-Rescue Department; and
- Lee Wright and Jorge Rodriguez, of the Public Services Department.

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Annual Feast of Plenty (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **First Baptist Church of Fort Lauderdale** to indemnify, protect, and hold harmless the City from any liability in connection with the **22nd Annual Feast of Plenty** to be held **Saturday, November 9, 2002 from 11:30 a.m. to 1:30 p.m.**; and further authorizing the closing of East Broward Boulevard from Third Avenue to Federal Highway from 12:01 a.m. (one minute past midnight) to 5:00 p.m. on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-722 from City Manager.

Event Agreement – Walk As One (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **National Conference of Community and Justice** to indemnify, protect, and hold harmless the City from any liability in connection with the **Walk As One** to be held **Sunday, October 20, 2002 from 10:00 a.m. to 12:00 noon**; and further authorizing the closing of the following walk route from 10:00 a.m. to 12:00 noon: beginning in Birch State Park and crossing Sunrise Boulevard to the eastbound lanes; east in both eastbound lanes of Sunrise Boulevard to State Road A-1-A; south in the westernmost southbound lane to East Las Olas Boulevard; east in westbound lanes to northbound State Road A-1-A; north in easternmost northbound lane to Henry E. Kinney Tunnel entrance back into the park. (As the group thins out throughout the walk, participants will be directed onto sidewalks only.)

Recommend: Motion to approve.

Exhibit: Memo No. 02-829 from City Manager.

Event Agreement – Viva Broward (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **El Heraldo de Broward** to indemnify, protect, and hold harmless the City from any liability in connection with **Viva Broward** to be held **Friday, October 11, 2002 from 5:00 p.m. to 11:00 p.m.**; **Saturday, October 12, 2002 from 11:00 a.m. to 11:00 p.m.**; and **Sunday, October 13, 2002 from 12:00 noon to 7:00 p.m.** along the Riverwalk, including DDA Plaza and Esplanade; and further authorizing the closing of East Las Olas Boulevard from Andrews Avenue to S.E. 1 Avenue from 7:00 a.m. Thursday, October 10, 2002 to 12:00 noon on Monday, October 14, 2002.

Recommend: Motion to approve.

Exhibit: Memo No. 02-723 from City Manager.

**Office Lease Agreement –
Caproc Third Avenue, L.L.C., a Michigan Limited Liability Company -
Fire-Rescue Department Administration Offices – 101 N.E. 3 Avenue (M-4)**

A motion authorizing the proper City officials to execute an office lease agreement with Caproc Third Avenue, L.L.C., a Michigan Limited Liability Company, for the Fire-Rescue Department's administration office for a term of one year.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-803 from City Manager.

Membership Dues for FY 2001/2002 – Broward Alliance (M-5)

A motion authorizing the payment of the FY 2001/2002 membership dues to the Broward Alliance in the amount of \$20,000.

Recommend: Motion to approve.

Exhibit: Memo No. 02-863 from City Manager.

Road Closing – Downtown Live (M-6)

A motion authorizing the closing of S.W. 2 Street from S.W. 2 Avenue to S.W. 3 Avenue from 3:00 p.m. to 11:00 p.m. on Wednesdays, beginning June 26, 2002 through the remainder of the year 2002, for the City's Downtown Live event.

Recommend: Motion to approve.

Exhibit: Memo No. 02-830 from City Manager.

**Assignment of Lease from Kegs Enterprises, Inc. (City Park
Mall Café) to Sushi-Ko Express Corporation - Shop 136 in City Park Mall (M-7)**

A motion authorizing the assignment of lease for Shop 136 in City Park Mall from Kegs Enterprises, Inc. (City Park Mall Café) to Sushi-Ko Express Corporation.

Recommend: Motion to approve.

Exhibit: Memo No. 02-737 from City Manager.

**Contract Award – Thermal Concepts, Inc. –
Project 10346 – Replacement of Cooling Towers (M-8)**

A motion authorizing the proper City officials to execute an agreement with Thermal Concepts, Inc. in the amount of \$93,756 for the cooling towers replacement project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-742 from City Manager.

**Contract Extension – B. K. Marine Construction, Inc. –
Project 10356-A – Annual (2002/2003) Marine Facilities Repair Contract (M-9)**

A motion authorizing the proper City officials to execute a one-year extension to the agreement with B. K. Marine Construction, Inc. in the approximate amount of \$43,620 for the FY 2002/2003 marine facilities repair contract.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-741 from City Manager.

Termination of Easement – Public Parking along East Commercial Boulevard (M-10)

A motion authorizing the proper City officials to execute a Termination of Easement for public parking along East Commercial Boulevard.

Recommend: Motion to approve.

Exhibit: Memo No. 02-724 from City Manager.

**Transfer of General Fund Contingencies –
Mark Ulmer – Special Counsel Services for the
Hyde Park Market Site Acquisition (M-11)**

A motion authorizing the transfer of \$100,000 from General Fund Contingencies to General Capital Project Fund (Project 10251.331, Hyde Park Market Property) for additional services by Mark Ulmer, Special Counsel, associated with the Hyde Park Market site acquisition.

Recommend: Motion to approve.

Exhibit: Memo No. 00-862 from City Manager.

**Request for Additional Owner-Occupied
Rehabilitation Funding – Jennie Brooks – 2301 N.W. 15 Court (M-12)**

A motion approving additional owner-occupied rehabilitation funding for Jennie Brooks for property located at 2301 N.W. 15 Court; and further authorizing the proper City officials to execute all documents necessary for such funding.

Recommend: Motion to approve.

Exhibit: Memo No. 02-835 from City Manager.

**Request for Additional Housing Recovery
Project Funding – Charles McBride – 857 N.W. 16 Avenue (M-13)**

A motion approving additional housing recovery project funding for Charles McBride for property located at 857 N.W. 16 Avenue; and further authorizing the proper City officials to execute all documents necessary for such funding.

Recommend: Motion to approve.

Exhibit: Memo No. 02-836 from City Manager.

**Request for Additional Replacement House
Project Funding – James Stull – 1228 N.E. 1 Avenue (M-14)**

A motion approving additional replacement house project funding for James Stull for property located at 1228 N.E. 1 Avenue; and further authorizing the proper City officials to execute all documents necessary for such funding.

Recommend: Motion to approve.
Exhibit: Memo No. 02-837 from City Manager.

Agreement – Urban Land Institute - Panel Study of Fort Lauderdale Beach (M-15)

A motion authorizing the proper City officials to execute an agreement with the Urban Land Institute (ULI) in an amount not to exceed \$110,000 to conduct a five-day panel study of Fort Lauderdale Beach. (Also see Item M-16 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 02-838 from City Manager.

**Agreement – Florida Atlantic University’s (FAU)
Anthony James Catanese Center for Urban and
Environmental Solutions and The Florida Institute
Of Government at FAU - Urban Land Institute’s
Panel Study of Fort Lauderdale Beach (M-16)**

A motion authorizing the proper City officials to execute an agreement with the FAU’s Anthony James Catanese Center for Urban and Environmental Solutions and The Florida Institute of Government at FAU in an amount not to exceed \$22,000 to prepare the briefing book and provide support and facilitation services in conjunction with the Urban Land Institute’s (ULI) Panel Study of Fort Lauderdale Beach. (Also see Item M-15 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 02-839 from City Manager.

**Contract Award – Weekly Asphalt Paving, Inc. –
Neighborhood Capital Improvement Program (NCIP)
Project 10197 – Victoria Park Improvements (M-17)**

A motion authorizing the proper City officials to execute an agreement with Weekly Asphalt Paving, Inc. in the amount of \$47,984 for the Victoria Park NCIP project for installation of a traffic roundabout, landscaping and irrigation.

Funds: See Bid Tab

Recommend: Motion to approve.
Exhibit: Memo No. 02-685 from City Manager.

**Contract Award – MCO Environmental Inc. –
Neighborhood Capital Improvement Program (NCIP)
Project 10205 - Sunrise Key Improvements (M-18)**

A motion authorizing the proper City officials to execute an agreement with MCO Environmental, Inc. in the amount of \$131,378.69 for the Sunrise Key NCIP project for construction of a brick paver crosswalk, landscaping, trees, irrigation, entrance wall, signage, columns, electrical lighting for signage, decorative electrical posts and sidewalks.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-432 from City Manager.

**Termination of Encroachment Agreement –
Housing Authority of the City of Fort Lauderdale –
Use of Right-of-Way on N.W. 2 Street for
Lakeview Gardens Apartments Playground (M-19)**

A motion authorizing the proper City officials to execute a Termination of Encroachment Agreement dated July 27, 1976, which allowed for the construction of a playground at Lakeview Gardens Apartments within a portion of the right-of-way of N.W. 2 Street, which was since removed in 1991.

Recommend: Motion to approve.

Exhibit: Memo No. 02-731 from City Manager.

**Annual Membership Dues –
Fort Lauderdale Transportation Management Association (TMA) (M-20)**

A motion approving the payment of \$10,000 in annual membership dues to the Fort Lauderdale TMA.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-773 from City Clerk.

PURCHASING AGENDA

Fleet Plan for FY 2002/2003

(Pur-1)

An agreement to purchase 163 vehicles and equipment for the Fiscal Year 2002-2003 Fleet Plan is being presented for approval the Administrative Services, Fleet Services Division.

Amount: \$ 5,791,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-800 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the Fleet Plan for Fiscal Year 2002-2003.

Bid 722-8684 – Purchase of One Forklift

(Pur-2)

An agreement to purchase one forklift is being presented for approval by the Administrative Services, Fleet Services Division.

Recommended Award: Add Cube Equipment (MBE)
San Jose, CA
Amount: \$ 33,172.00
Bids Solicited/Rec'd: 19/4 with 1 no bid
Exhibits: Memorandum No. 02-794 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder with transfer of \$33,172 from Office Furniture (PBS670302-6416) to Fleet Replacement (ADM030501-6416).

RFP 322-8658 – HOPWA Grant Award – Think Life Property

(Pur-3)

An agreement to approve grant funding for HOPWA 2001-2002 Grant Award, Think Life Property is being presented for approval by the Community and Economic Development Department.

Recommended Award: Housing Authority of the City of Fort Lauderdale
Fort Lauderdale, FL
Amount: \$ 628,488.00
Bids Solicited/Rec'd: 33/5
Exhibits: Memorandum No. 02-608 from City Manager

The Procurement and Materials Management Division reviewed this item and is in agreement to approve the funding recommendation.

582-7965 – Delinquent Collection Services Contract Extension**(Pur-4)**

A one-year contract extension of delinquent collection services for various late fee collections is being presented for approval by the Finance, Treasury Division.

Recommended Award: Penn Credit Corporation
Harrisburg, PA
Amount: \$ 45,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-804 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the one-year contract extension.

Co-Op Contract – One year - Horticultural Chemicals**(Pur-5)**

A one-year contract for horticultural chemicals is being presented for approval by the Parks and Recreation Department.

Recommended Award: Helena Chemical
Tampa, FL
United Horticultural Supply
Delray Beach, FL
Pro Source One
Boynton Beach, FL
UAPTimmerland
Gainesville, FL
Lesco, Inc.
Strongsville, OH
Carso, Inc.
Camargo, IL
Amount: \$ 42,911.01 (estimated)
Bids Solicited/Rec'd: 18/8
Exhibits: Memorandum No. 02-732 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidders.

Proprietary – Asphalt Milling Machine**(Pur-6)**

An agreement to purchase one asphalt milling machine is being presented for approval by the Public Services Department.

Recommended Award:	Asphalt Zipper, Inc. Pleasant Grove, UT
Amount:	\$ 72,416.50
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-775 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase with the transfer of \$72,416.50 from Water Distribution System Recapitalization Project (P00051) to Vehicles (ADM030501-6416).

622-8651 – Two year Contract for Anhydrous Ammonia**(Pur-7)**

A two-year contract for anhydrous ammonia is being presented for approval by the Public Services Department.

Recommended Award:	Tanner Industries, Inc. Southampton, PA
Amount:	\$45,600.00 (estimated)
Bids Solicited/Rec'd:	43/1 with 3 no bid
Exhibits:	Memorandum No. 02-700 from City Manager

The Procurement and Materials Management Division recommends award to the single responsive and responsible bidder.

542-6876 – Contract Renewal – Aviation Liability Insurance**(Pur-8)**

A one-year contract renewal for aviation liability insurance is being presented for approval by the Finance, Risk Management Division.

Recommended Award:	Aviation Insurance Agency, Inc. Palm City, FL
Amount:	\$28,540.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-796 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the one-year contract renewal.

592-8188 – Assignment of External Audit Services Contract**(Pur-9)**

An assignment of the external audit services contract is being presented for approval by the Finance Department.

Recommended Award: Ernst and Young LLP
Fort Lauderdale, FL
Amount: \$ 166,000.00 (estimated annual)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-810 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the contract assignment.

Co-Op Bid – Diesel Fuel, Transport Delivery**(Pur-10)**

A one-year contract for diesel fuel, transport delivery is being presented for approval by various departments.

Recommended Award: Petroleum Traders Corp.
Fort Wayne, IN
Amount: \$ 833,153.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-820 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder.

522-8694 – Financial Advisory Services**(Pur-11)**

A three-year contract for financial advisory services is being presented for approval by the Finance Department.

Recommended Award: Dunlap & Associates, Inc. and
Fidelity Financial Services, L.C.
Hollywood, FL
Amount: \$ 93,000.00 (estimated annual)
Bids Solicited/Rec'd: 92/8
Exhibits: Memorandum No. 02-846 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award to first ranked proposer.

The City Manager wished to delete Consent Agenda Item No. M-10 from the agenda and planned to schedule it for June 18, 2002.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-4, M-5, M-11, M-12, M-15, M-17, Pur. 3, and Pur. 5 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Office Lease Agreement – Caproc Third Avenue, L.L.C.,
a Michigan Limited Liability Company –
Fire-Rescue Department Administration Offices –
101 Northeast 3rd Avenue (M-4)**

Commissioner Katz wondered if there was any other potential office space downtown at lesser cost. The Fire Chief stated that the idea had not been examined because it would necessitate moving all the staff, and it would be preferable to make a single move to the new building due to the cost. Commissioner Katz wondered if the cost was justified. Mr. Victor Volpi, Real Estate Officer, stated that the price was a little higher than he would have preferred, but it was not unreasonable. The Fire Chief added that there would be costs associated with moving 15 to 18 staff members, furniture, phones, computer equipment, etc.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-4 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Membership Dues for FY 2001/2002 – Broward Alliance (M-5)

Commissioner Katz noted that the activity report had been distributed, and it seemed to contain a lot of empty spaces and “not availables,” so she was not sure what the City was receiving for its dues. Mr. Pete Witschen agreed Commissioner Katz raised a valid point and reflected his own concerns. He stated that the usual dues were \$38,000, but only \$20,000 was recommended and better accountability standards were proposed.

Ms. Joan Goodrich, Acting President and CEO of the Broward Alliance, distributed the latest activity report, which she felt was one indication that the Broward Alliance was moving forward with greater accountability. She agreed that the previous report had been incomplete.

Commissioner Katz thought this report was a little late. She felt that a list of what would be done and how it would be accounted for should have been presented, and she thought the City’s money would be better spent on the Economic Development Director or the consultants who would be working with the City. Commissioner Katz said she would be willing to consider it again in the future, but she did not support this at this time.

Commissioner Hutchinson was under the impression that agreement had been reached to continue this relationship and the relationship with the Chamber of Commerce at the recent Economic Development Workshop. Therefore, she did not understand the hesitation at this point. Commissioner Smith suggested that a Conference presentation be made and this item deferred until after that discussion. He was not clear on the benefit derived. Ms. Goodrich said she would be happy to make a presentation because Fort Lauderdale was very important to the organization’s ability to leverage resources.

It was the consensus of the Commission to schedule a Conference discussion in this regard for June 18, 2002, and to defer this item to the Regular Meeting on the same date.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer this item to 6:00 p.m. on June 18, 2002. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Transfer of General Fund Contingencies – Mark Ulmer –
Special Counsel Services for the Hyde Park Market Site Acquisition (M-11)**

Commissioner Hutchinson asked what the Stranahan House was contributing. Commissioner Moore referred to the Stranahan House as the “silent benefactor.” Mr. Bud Bentley, Assistant City Manager, said that his primary contact with the organization had been out of town this month, but a request had been made to modify the agreement to increase the Stranahan House’s contribution for acquisition expenses. He had not yet received a response. Commissioner Hutchinson preferred to defer this item until a response was received.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer this item until a response was received from the Stranahan House about the request to modify the agreement. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Request for Additional Owner-Occupied Rehabilitation
Funding – Jennie Brooks, 2301 Northwest 15th Court (M-12)**

Commissioner Katz asked if there would be any legal problems with this or difficulties with HUD. Ms. Faye Outlaw, Deputy Director of Housing and Community Development, replied that there was no HUD involvement in this particular project. Commissioner Katz understood this was a second mortgage and wondered if the applicant would be able to service the debt. Ms. Outlaw explained that this really functioned as a grant, which would not have to be repaid unless the owner ceased to occupy it.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-12 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Agreement – Urban Land Institute – Panel Study of Fort Lauderdale Beach (M-15)

Commissioner Katz wondered if some of the private hoteliers or business owners on the beach would be willing to contribute to the cost of this study, perhaps with a match. Mr. Chuck Adams, Beach Redevelopment, stated that when the Beach Redevelopment Advisory Board had examined the ULI process, they had taken that approach. However, it had been indicated that there was not support from the private sector, particularly after 9/11. He stated that the request could be made again but, if it were, the proposed schedule would have to be modified.

Commissioner Kitz thought it would be worthwhile to make greater efforts to seek private support. Mr. Adams advised that there had been an offer from some developers originally, but several of the Advisory Board members had objected to the idea because they feared a perception that the process and outcome might be skewed toward private development. Commissioner Katz recalled that conversation had been with the idea that developers would fund the entire study, but she was proposing matching funds.

Mr. Adams advised the request could be made, but he expected it would delay the ULI until about May of next year because the goal was to conduct the study during the height of the hoteliers' busy season. Commissioner Hutchinson felt this study should go forward with the idea that staff would try to obtain some matching funds, but she did not want to interfere with the schedule. Commissioner Smith agreed. Commissioner Moore concurred as well, and he was aware of at least two developers who had indicated a willingness to support the study.

Mr. Frank Schnidman, resident of the beach area, said there were two developers who were willing to support this and, in fact, there were probably enough developers who would do so to cover the entire cost of the panel study. However, he did not know how much credibility the results would have if the development community paid for such an important study.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Consent Agenda Item No. M-15, with the provision that staff would attempt to obtain matching funds from the community. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Contract Award – Weekly Asphalt Paving, Inc. –
Neighborhood Capital Improvement Program (NCIP)
Project 10197 – Victoria Park Improvements (M-17)**

Mr. Ted Fling, President of the Victoria Park Civic Association, stated that the neighborhood was very much in favor of this project, which had been delayed since 1999 due to issues associated with Broward County Transit buses and the introduction of speed humps on Northeast 15th Avenue. He wished to express appreciation to the City Engineer's staff and said the City was blessed to have such outstanding employees.

Motion made by Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-17 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

RFP 322-8658 – HOPWA Grant Award – Think Life Property (Pur. 3)

Commissioner Katz was concerned because the Housing Authority and Broward House were only a point apart, and she was not sure the Housing Authority had ever operated this type of facility. Ms. Outlaw stated that the Housing Authority had participated as a HOPWA provider for the last six years. She advised that the organization had not operated a project base before, but it had administered a program for independent housing, and this was essentially the same but for the provision of off-site supportive services.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 3 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Co-Op Contract – One-Year – Horticultural Chemicals (Pur. 5)

Motion made by Commissioner Moore to approve Consent Agenda Item No. Pur. 5 as recommended. Motion died for lack of a second.

Settlement of General Liability File No. GL 97-515B (Carole Grant) (M-21)

A motion was presented authorizing the settlement of General Liability File No. GL 97-515B (Carole Grant) in the amount of \$75,000.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the settlement of General Liability File No. GL 97-515B in the amount of \$75,000. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Conflict of Interest –

McKinley Financial Services Enterprise Zone (EZ) Loan Project (M-22)

A discussion was **withdrawn** to disclose the conflict of interest regarding the award of an EZ Loan for \$212,000 to McKinley Financial Services because of Commissioner Carlton B. Moore's dual role on the City Commission and as employee of such company. Notice of public discussion was published May 18, 2002 (*Sun-Sentinel*) and May 23, 2002 (*Westside Gazette*).

Public Disclosure and Discussion of Department of Housing and Urban Development (HUD) Conflict of Interest Regulations and Reconsideration of Selection of Milton Jones Development Corporation for Negotiation of the Northwest Redevelopment Project Development Agreement (M-23)

A public disclosure and discussion was scheduled of the HUD conflict of interest regulations regarding the selection of Milton Jones Development Corporation as the preferred developer to negotiate the Northwest Redevelopment Project Development Agreement; authorization to request an exception to HUD's conflict of interest regulations; and reconsideration of the selection of Milton Jones Development Corporation as the preferred developer for negotiation of the Northwest Redevelopment Project Development Agreement, deferring authorization of negotiations until HUD's grant of an exception to its Conflict of Interest Regulations. Notice of public discussion was published May 18, 2002 (*Sun-Sentinel*) and May 23, 2002 (*Westside Gazette*).

Ms. Faye Outlaw, Deputy Director of Community and Economic Development, explained that the Department of HUD had declared a conflict of interest violation relative to the selection of this developer, so it was necessary to disclose the nature of the conflict and solicit public input. She stated that the basis of the conflict rested specifically with the role of Sean Jones as an appointed member of the CRA Advisory Board and in his capacity as Vice-President of MJDS and son of the owner.

Mayor Naugle called for anyone who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Mayor Naugle preferred proposed Action #1 as listed in the back-up memorandum. Commissioner Smith agreed it followed the detail the federal government desired to readvertise the conflict and go through all the appropriate newspaper advertisements. Mayor Naugle believed that process was underway, and Ms. Outlaw agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the reselection of MJDC as the Developer, and to approve the project on the basis of community need and efficiency and authorize staff to apply for the HUD waiver and proceed with negotiations. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Development Order – Florida Department of
Transportation (FDOT)/Cypress Creek Park and Ride
Associates, Limited Partnership, Lessee – Lightspeed Broward
Center Development of Regional Impact (DRI) (PZ Case No. 109-R-00[02]) (PH-1)**

At the January 23, 2002 regular meeting, the City Commission approved by a vote of 5-0 the consideration of an ordinance for this application for first reading on March 5, 2002; and at the February 20, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 5-2 that the following application be approved. Notice of public hearing was published January 4, 2002 and February 23, 2002, and was deferred for first reading at various meetings (see Agenda Memo for specific dates).

Applicant:	FDOT/Cypress Creek Park and Ride Associates, Limited Partnership, Lessee
Request:	Development order for the Lightspeed Broward Center DRI
Location:	Area south of Cypress Creek Road, north of 60 Street, east of Andrews Avenue and west of I-95, also known as the FDOT Park and Ride Facility

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Mayor Naugle disclosed that this item had been discussed at a meeting of the Broward County Planning Council, of which he was a member. Commissioner Moore said he was a member of the South Florida Regional Planning Council, and that organization had discussed this item as well. Commissioner Smith disclosed that he had a brief conversation with Dennis Mele and John Rude in this regard. Commissioner Hutchinson had also spoken with Dennis Mele, as well as City staff, and Gypsy Miller, of the Flamingo Park neighborhood. Commissioner Katz had discussed the subject with Dennis Mele, representatives of the North Andrews Gardens neighborhood, staff and representatives of both the FDOT and TriRail.

At 7:07 p.m. Commissioner Smith left the meeting. He returned at 7:11 p.m.

Having affirmed to speak only the truth, by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item:

Commissioner Katz thought this was probably a precedent setting project in that there were not very many transit oriented, multi-modal projects of this nature in South Florida, and this would be one of the first. She noted that some affordable housing was usually a component of this type of project so people could live and work in the same area, although she understood the housing was being drawn from a very large area all the way to University Drive. Commissioner Katz said people in her districts had concerns about the entrance to I-95 from the site itself, and the intersection of 62nd Street and Andrews Avenue was very congested already. She, too, was concerned about 2,000 more cars on this site during peak hours, and she understood there were incentives to using the public transportation that could be offered.

Ms. Stacey Dahlstrom, Construction Services, stated that this item involved adoption of the DRI with all of the associated conditions proposed in the DO, which included the enhanced TDM management program.

Commissioner Katz noted that there was a one-lane entrance onto I-95 from the intersection, and there was an entrance on site that accessed I-95, and she wondered how that would work. *Mr. Dennis Mele*, representing the applicant, displayed the conceptual site plan and stated that there were two separate ramps that merged together as they reached I-95. He advised that there was a need for improved signage for those using the Andrews Avenue and I-95 entrance, so the developer had committed to work throughout the process to make the signage work better. Commissioner Katz asked if increased signage would be on the site or at the intersection. Mr. Mele replied that new signage would be provided on the site, and he had heard discussion about needing more signage on the Andrews Avenue corridor itself.

Commissioner Katz asked if there were any ideas about dealing with the congested intersection. *Mr. Walter Keller* stated that various options were being considered, including a turn lane, and traffic engineers from both Fort Lauderdale and Oakland Park were participating in the discussion, along with the FDOT. He advised that a third left turn lane from northbound Andrews Avenue to westbound Cypress Creek Road had been suggested by the consultant representing the City of Oakland Park. Mr. Keller added that some other possible options were also under consideration.

Commissioner Katz wanted a commitment from the developer that the intersection would be addressed. Mr. Mele said the City had the developer's commitment that it would be addressed in one way or another, and the entire property would be replatted. He believed that intersection would be a major point of examination, and the developer would have to address it because it would be required.

Commissioner Smith thought the reviewing agencies had done a great job of trying to make this a model for large redevelopment parcels, and it included many smart growth principles. Commissioner Moore agreed, but he felt housing units was the missing point. He understood there was no room to do it, but he was interested in affordable housing and minority participation goals.

Mr. Mele referred to page 7 of the DO, which called for 15% minority participation, and the developer had agreed to increase that to 25%. He understood staff would make that modification prior to second reading of this ordinance. Commissioner Moore was glad to hear that. Commissioner Katz wished to thank staff and Mr. Keller for working toward methods of encouraging people to use the public transportation.

Mayor Naugle said that when this issue had been discussed by the Planning Council, the number of parking spaces had been considered. The developer had agreed to replace the same number of surface spaces in a structure and constructing a pedestrian bridge from the TriRail Station to the new developer. He explained that the developer would be making lease payments to the FDOT, and the Planning Council had adopted a resolution asking the FDOT to turn over the lease payments to the community for a transportation management organization for the life of the project. Mayor Naugle understood this was outside the DRI, but he felt Fort Lauderdale should take the same position and ask the FDOT to use the lease payments to help solve other transportation problems.

Mr. Mele believed that Florida Statutes required that revenue derived from the project go to the State Transportation Trust Fund. Mayor Naugle understood that and said he was suggesting a request for a legislative act, which should be a simple matter.

Commissioner Katz introduced the following ordinance on first reading:

ORDINANCE NO. C-02-11

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE LIGHTSPEED BROWARD CENTER DEVELOPMENT OF REGIONAL IMPACT, WHICH CONSISTS OF APPROXIMATELY 11.5 ACRES WITHIN THE CITY OF FORT LAUDERDALE AND CITY OF OAKLAND PARK, LOCATED GENERALLY SOUTH OF CYPRESS CREEK ROAD, NORTH OF N.W. 60TH STREET, EAST OF ANDREWS AVENUE AND WEST OF I-95 COMMONLY KNOWN AS THE CYPRESS CREEK PARK AND RIDE LOT; PROVIDING FOR THE DEVELOPMENT OF AN OFFICE, HOTEL AND COMMUNICATION FACILITY; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR DEVELOPMENT IDENTIFICATION; PROVIDING CONDITIONS AND OBLIGATIONS RELATING TO THE DEVELOPMENT; PROVIDING A BUILDOUT DATE AND OTHER GENERAL CONDITIONS; PROVIDING FOR RECORDING, TRANSMITTAL, AND MONITORING; PROVIDING FOR A PROHIBITION AGAINST DOWN-ZONING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Change of Control of the Cable Communications
Franchise Resulting from the Agreement and Plan of
Merger between AT&T Corp. and Comcast Corporation..... (PH-2)**

A public hearing was scheduled to consider an ordinance approving the change of control of the cable communications franchise resulting from the Distribution and Separation Agreement between AT&T Corp. and AT&T Broadband Corp. and the Agreement and Plan of Merger between AT&T Corp. and Comcast Corporation, with the present franchisee, District Cablevision Limited Partnership, d/b/a AT&T Broadband continuing to hold the franchise granted by the City to construct, operate and maintain a cable television system over the public property of the City subject to certain conditions; authorizing the proper City officials to enter into a consent to such change of control; and further authorizing the proper City officials to execute those documents necessary to effectuate the City's consent to the transfer. Notice of public hearing was published May 23 and 30, 2002.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Commissioner Smith understood there would be no opportunity for this new company to change any of the public programming. Mr. Tim Edkin, IT Director, stated that the existing franchise was being reaffirmed as part of this agreement. Commissioner Smith desired public confirmation of that information by AT&T Broadband, and he desired additional comment in terms of customer service during the conversion. Mr. Edkin advised that there would be no difference in terms of handling service at the local level.

Ms. Susan Bisno, of AT&T Broadband, confirmed that there would be no change in terms of public programming. As to customer service, there was also no plan to make any billing changes or diminish service to customers in any way. She advised that the leadership for customer service had been turned over with a new director and with a new call center director over the past 60 to 90 days.

Commissioner Moore understood that this item pertaining to changes at the highest level of the organization as opposed to the local level, but he wished to take this opportunity to comment on the franchise operation. He said he loved basketball, but his cable had gone out. He had telephoned, but the phone had rung again and again before being answered. Further, after the call had been answered, he and several other residents had been put on hold for a long period of time. He wished there was some way to reach *Ms. Bisno* because he had missed the game, and the cable had been out for the next three nights in a row.

Ms. Bisno agreed that was poor service and offered apologies. Mayor Naugle thought a refund should be offered, and *Ms. Bisno* agreed. Commissioner Moore asked that any refund be sent to the Little League Basketball League.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-12

AN ORDINANCE APPROVING THE TRANSFER OF CONTROL OF THE CABLE COMMUNICATIONS FRANCHISE RESULTING FROM THE AGREEMENT AND PLAN OF MERGER BETWEEN AT&T CORP. AND COMCAST CORPORATION, WITH THE PRESENT FRANCHISEE, DISTRICT CABLEVISION LIMITED PARTNERSHIP, D/B/A AT&T BROADBAND CONTINUING TO HOLD THE FRANCHISE GRANTED BY THE CITY OF FORT LAUDERDALE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM OVER THE PUBLIC PROPERTY OF THE CITY OF FORT LAUDERDALE SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO SUCH TRANSFER OF CONTROL; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THOSE DOCUMENTS NECESSARY TO EFFECTUATE THE CITY'S CONSENT TO THE TRANSFER.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Intent to Convey Property to the Fort Lauderdale
Community Redevelopment Agency (CRA) – Redevelopment of
Konover Property located on Broward Boulevard, just West of I-95 (PH-3)**

A public hearing was scheduled to consider a resolution conveying property to the Fort Lauderdale CRA for the redevelopment of the Konover Property located on Broward Boulevard, just west of I-95; and further authorizing the proper City officials to execute and deliver deeds of conveyance under the terms and conditions set forth in Resolution No. 02-69 adopted April 23, 2002, declaring intent to convey such property.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.02 OF THE CHARTER OF THE CITY OF FORT LAUDERDALE CONFIRMING RESOLUTION NO. 02-69, WHICH DETERMINED AND DECLARED THE INTENTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE TO CONVEY CERTAIN PUBLIC PROPERTY TO THE CITY OF FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY TO ASSIST IN THE ELIMINATION OF SLUM AND BLIGHTED CONDITIONS BY PROVIDING FOR COMMERCIAL REDEVELOPMENT AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND DELIVER A DEED OF CONVEYANCE TO THE CITY OF FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY FOR SUCH PUBLIC PROPERTY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Amend Unified Land Development Regulations (ULDR) Section 47-19 –
“Accessory Uses, Buildings and Structures” to Permit Construction
Staging Areas for Public Construction Projects (PZ Case No. 2-T-02) (O-1)**

An ordinance was presented amending ULDR Section 47-19.2, “Accessory Buildings and Structures, General” to add a new subsection entitled “Construction Staging Areas” to permit property to be used as a staging area in connection with public construction projects as a temporary use in any zoning district, and providing requirements and a process for review, approval and termination of approval. Notice of the proposed ordinance was published May 25, 2002.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-13

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-19.2, ACCESSORY BUILDINGS AND STRUCTURES, GENERAL, TO ADD A NEW SUBSECTION ENTITLED “CONSTRUCTION STAGING AREAS” TO PERMIT PROPERTY TO BE USED AS A STAGING AREA IN CONNECTION WITH PUBLIC CONSTRUCTION PROJECTS AS A TEMPORARY USE IN ANY ZONING DISTRICT AND PROVIDING REQUIREMENTS AND A PROCESS FOR REVIEW, APPROVAL AND TERMINATION OF APPROVAL.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Amend Unified Land Development Regulations (ULDR) Sections 47-24 and 47-35– “Development Permits and Procedures” (PZ Case No. 1-T-02) (O-2)

At the April 17, 2002 regular Planning and Zoning Board meeting, the following application was approved by a vote of 5-2. Notice of the proposed ordinance was published on May 25, 2002.

Applicant: City/Construction Services Bureau
Request: Amend ULDR Section 47-24, “Development Permits and Procedures,” site plan expiration, including expiration of dwelling units; and Section 47-35, “Definitions,” providing for new terminology (Principal Building and Principal Structure)

Commissioner Katz said she had learned at her agenda review meeting last night that not everyone knew about this, including the building industry, and there were questions about phased development and how this would affect the Konover site. She felt the public needed a better understanding.

Ms. Liz Holt, Construction Services, advised that this had been scheduled for Planning & Zoning Board consideration in March, but it had been tabled for a month to allow time to contact more people for input. That had been done, and additional input had been obtained, which had been folded into the Board’s recommendation. She stated that had included suggestions from the development community. Commissioner Katz was concerned that there might be some unintended consequences particularly as it related to phased development.

Commissioner Smith felt this was a complicated ordinance, but he thought it was important because there was apparently some language in the Code that was unclear as to when a site plan expired. Commissioner Katz asked if there would be time for additional input from the industry between first and second reading of the ordinance. Ms. Holt believed so and advised that the phasing problem had been addressed because a phased permit could last for as long as 20 years, and a 7-year maximum was included.

Commissioner Smith understood there was an additional 18 months for a second phase after a first phase. Ms. Holt said there was a total of 24 months.

Mr. Marvin Sanders, Planning & Zoning Board, said concerns had been raised, and he had worked with staff to form a committee consisting of three lobbyists, two developers, two architects and him. That committee had come up with a scheme to allow 18 months to obtain site plan approval and another six months to obtain permits. Since the last public hearing, he believed a change had been made to limit it to 24 months for each phase, with a maximum of 7 years. Mr. Sanders thought that was an odd number.

Mr. Sanders said another issue involved time extensions. He noted that an extension could be granted, but the ordinance did not specify the term of such extension or how many could be granted. He recommended an ordinance similar to that in Palm Beach County, in which 12-month administrative extensions could be granted for just cause involving circumstances beyond the developer’s control, with a second extension allowed with a Commission call-up. He also did not think an extension that also required conformance with current regulations was an extension at all because that would require redoing of all the drawings, etc. Therefore, he requested that this be clarified along with the extension issues.

Commissioner Moore felt this that was setting a new standard for the community, and he did not mind that at all when there was a new development. Secondly, he wanted to motivate developers to get projects “out of the ground” and expedite the process. Commissioner Moore thought adjustments could be made before second reading, but he felt this was a workable ordinance that would provide a better situation. He did not, however, want anything to be “carved in stone.” Commissioner Moore preferred consideration on a case-by-case basis.

Commissioner Hutchinson asked who had served on the committee. Mr. Sanders listed the committee members, who included Kevin Buckley, Diana Preston, Bob Bik, Bob Tuthill, Bob Lochrie, Don Hall, John Smith, Jim Koeth, and Doug Eagon. He added that input from the community had been solicited, but two years could be a short time when going through the development process, particularly since an application to the Health Department could not even be submitted until the site plan had been finally approved. Mr. Sanders felt the language in the ordinance relating to time extensions should be more specific.

Ms. Holt explained that where the Code did not specify the number of extensions, it would be a matter for the City Commission on a case-by-case basis. Commissioner Smith wondered if applicants should be limited to two extensions. Commissioner Moore did not know why that would be desirable. Commissioner Smith pointed out that units could be tied up, and he thought there should be some limit. He also believed there had been discussion about expiration of building permits, and he felt that should be scheduled for a Conference meeting because one house of which he was aware had been under construction for seven years, which was a problem for the neighborhood.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-14

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-24, DEVELOPMENT PERMITS AND PROCEDURES, AND SECTION 47-35, DEFINITIONS, REGULATING THE EXPIRATION OF SITE PLANS AND OTHER DEVELOPMENT PERMIT APPROVALS AND DWELLING UNITS AND PROVIDING A DEFINITION FOR A PRINCIPAL STRUCTURE AND PRINCIPAL BUILDING.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Amend Section 26-161, “Rates and Hours for Off-Street Parking” –
E. Clay Shaw Bridge (S.E. 17 Street Causeway) Underdeck Parking Areas (O-3)**

An ordinance was presented amending Section 26-161, “Rates and Hours for Off-Street Parking,” of the City’s Code of Ordinances to provide for hours of operation, metered parking rates, and permit parking rates for the E. Clay Shaw Bridge underdeck parking area. Notice of proposed ordinance was published May 25, 2002.

Commissioner Hutchinson referred to permit parking. She believed it would be used up by the businesses, so there would be no public parking any more. Mr. Doug Gottshall, Parking and Central Services Manager, stated that the number of permits sold would be limited initially to a total of 15. Commissioner Hutchinson inquired about special events. Mr. Gottshall stated special events could be accommodated on an as-needed basis, although there had only been one inquiry about that of which he was aware.

Mayor Naugle inquired about the term of the permits and asked if there would be a 30-day cancellation clause. Mr. Gottshall stated that the 15 monthly permits would be sold on a first-come, first-served basis with no guarantee of renewal. Commissioner Hutchinson asked Mr. Gottshall to keep the Commission informed if the number of permits sold was increased. She added that the lighting was not working on the east side under the palms, and it had not been working since the ribbon-cutting. Mr. Gottshall agreed to investigate.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-15

AN ORDINANCE AMENDING SECTION 26-161, "RATES AND HOURS FOR OFF-STREET PARKING," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR HOURS OF OPERATION, METERED PARKING RATES AND PERMIT PARKING RATES FOR THE E. CLAY SHAW BRIDGE UNDERDECK PARKING AREAS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Amendment to the Pay Plan – Medical Insurance
Contributions by Management and Confidential Employees (O-4)

An ordinance was presented amending Schedule I of the Pay Plan of the City to revise the "Management Benefit Package" to state that City and employee basic and major medical insurance contributions for employee and eligible family members will be established by resolution of the City Commission. Notice of the proposed ordinance will be published on June 8, 2002.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-16

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE BY ADOPTING A REVISED "MANAGEMENT BENEFIT PACKAGE."

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Demolition of Buildings (R-1)

At the April 18, 2002 and May 16, 2002 Unsafe Structures and Housing Appeals Board meetings, it was recommended that the following buildings be demolished and the properties be assessed with the appropriate costs:

- a. 730 N.W. 13 Terrace
- b. 1605 N.W. 6 Place

Ms. Nora Sanders, of Norell Construction, referred to 730 Northwest 13th Terrace. She reported that plans had been submitted on April 16, 2002, but not in time for the April 18, 2002 meeting. She requested 60 days to obtain the permit and expected revisions to be ready for submission in two weeks.

Commissioner Moore wanted to see this building demolished. Mayor Naugle noted that staff had indicated the cost of repairs exceeded the value of the building. Commissioner Moore felt it was an eyesore.

Ms. Sanders stated that the property had been purchased in July, and the title had cleared in December, at which time the owner had been issued a roof permit in error. Additional research had been conducted, and plans had been prepared by April. She expected a permit to be issued by July.

Motion made by Commissioner Moore and seconded by Commissioner Smith to proceed with the demolition at 730 Northwest 13th Terrace. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to proceed with the demolition at 1605 Northwest 6th Place. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Ms. Sanders advised that the owner had paid \$5,000 for the plans less than 60 days ago. She did not understand why the owner had been permitted to proceed by the City. She noted that the permit fee had been paid on April 16, 2002, and then the Unsafe Structures Board had recommended demolition just two days later.

Mayor Naugle stated that the building had been an eyesore and a burden on the community for a long time, and this had all been properly noticed and advertised. *Ms. Lori Milano*, Community Inspections Director, advised that the Unsafe Structures Board had continued this case three times with various stipulations, and the Board had finally voted for demolition in April. She added that the respondent had not appeared at that meeting, and all notice requirements had been fulfilled.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-96

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Building Board-Up and Securing Charges (R-2)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings.

Commissioner Moore hoped a process could be started so that if the City did two quick board-ups on a building, it would be declared an unsafe structure if it was necessary a third time. He felt the City was allowing abandoned properties to remain, which affected all the surrounding properties as well. He hoped to discuss that in the near future. Commissioner Smith thought the building should be boarded the third time but referred immediately to the Unsafe Structures Board. Commissioner Moore agreed that was his intention. He thought the City should be much more expedient in this regard. Mayor Naugle pointed out that these buildings also raised issues like public safety, fire hazards, use of the buildings by criminals, etc.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-97

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Lot Clearing and Cleaning Charges (R-3)

A resolution was presented authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Conveyance of Property – Northwest Neighborhood
Improvement District (NWNID) – Development of Affordable Housing (R-4)**

A resolution was presented authorizing the proper City officials to convey property to the NWNID for development of affordable housing and subsequent transfer to eligible homebuyers.

Mayor Naugle asked who looked over the locations to see if it would make more sense to hold the lots vacant for potential development, in particular the lots just west of 7th Avenue across from the Post Office. He had always envisioned that area being available for redevelopment opportunities.

Ms. Faye Outlaw, Deputy Director of Community and Economic Development, explained that the process involved giving priority consideration on the selection of the lots to potential home buyers who had been pre-qualified by a lender. Then, the lots were examined to determine if they fell within the area of any development plans on the drawing board. Mayor Naugle asked if the CRA Director of the Advisory Board had any input into that process. Ms. Outlaw stated that this matter did not go to the Board, but discussions were coordinated with the CRA to determine if there were any plans in the pipeline.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-99

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DETERMINING AND DECLARING ITS INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT FOR DEVELOPMENT OF NEW AFFORDABLE HOUSING, AND DESIGNATING A DATE AND TIME FOR A PUBLIC HEARING UPON SUCH PROPOSAL.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

**Release of Request for Proposals (RFP) –
Redevelopment of Former New River U. S. Post Office Site (R-5)**

A resolution was presented, pursuant to Section 8.09 of the City Charter, offering the former New River U. S. Post Office site for lease and development; authorizing the release of an RFP setting forth the terms and conditions upon which competitive proposals shall be considered.

Commissioner Katz wondered if there was a need to rush on this because she thought it might be better to await completion of the master plan to see what types of things would connect the Performing Arts Center with the rest of the area. She also wondered if the City had sufficient staff to devote the time and effort necessary. Commissioner Katz felt the Swimming Hall of Fame was more important than this, and she saw no reason to suddenly rush this ahead.

Commissioner Hutchinson thought this was necessary now, particularly since this would not cost the City any money, as opposed to the cost of rebuilding pools. Mayor Naugle did not view this as a rush. In fact, it had been languishing for two years. Commissioner Hutchinson agreed this was ready to go. Commissioner Katz said she was concerned that there were just too many things going on. Commissioner Hutchinson agreed that was true, but she did not want to wait any longer to at least see what proposals might be forthcoming.

The City Manager noted that the RFP could be released in July, but proposals would not be returned until September. By that time, he was hopeful some of the other pending projects could be resolved.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-100

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THAT CERTAIN LAND AND IMPROVEMENTS SITUATED ON THE LAND, OWNED BY THE CITY OF FORT LAUDERDALE, ARE NOT NEEDED FOR GOVERNMENTAL PURPOSES, AND DECLARING THE INTENTION OF THE CITY COMMISSION TO LEASE SUCH LAND AND IMPROVEMENTS PURSUANT TO SECTION 8.09 OF THE CITY CHARTER, SUCH LANDS AND IMPROVEMENTS BEING LOCATED IN THE "H-1" HISTORIC PRESERVATION DISTRICT OF THE CITY, AND WHICH LAND AND IMPROVEMENTS ARE KNOWN AS THE NEW RIVER POST OFFICE SITE, LOCATED ON LAND LEGALLY DESCRIBED AS ALL OF THE LANDS CONTAINED ON THE PLAT OF "THE BAREFOOT MAILMAN", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 152, PAGE 32, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SUCH LAND AND IMPROVEMENTS BEING LOCATED IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Broward County Shore Protection Project – Segments II and III (R-6)

A resolution was presented confirming the City's support for the permitting and construction of Segments II and III of Broward County's Shore Protection Project.

Commissioner Katz thought there should be a very strong resolution in this regard because there was a lot of strong opposition. Commissioner Smith agreed. Mayor Naugle suggested that the City's lobbyist address this issue through some of the State agencies as well.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING BROWARD COUNTY SEGMENTS II AND III, SHORE PROTECTION PROJECT; AND URGING THAT BROWARD COUNTY PURSUE THE PROJECT EXPEDITIOUSLY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Plat Amendment –

D. Fredrico Fazio and TAA Associates – Trio Plat (PZ Case No. 9-P-02) (R-7)

A resolution was presented authorizing an amendment to the following plat note:

Applicant: D. Fredrico Fazio and TAA Associates
Request: Plat amendment
Location: 508 S.E. 7 Street

Having affirmed to speak only the truth, by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item.

Commissioner Katz was under the impression that this would go back to the Planning & Zoning Board. Ms. Cecelia Hollar, Construction Services, stated that there was nothing in the Code that required Planning & Zoning Board approval of plat amendments. She advised that the Commission had requested these be brought back to the Commission when someone amended a plat note through the County. Ms. Hollar added that the matter could go back to the Board if that was the Commission's desire. Commissioner Katz wondered how long that would take. Mr. Chris Barton, Construction Services, stated that it would take about ten weeks.

Mayor Naugle thought this involved a downtown housing project. Mr. Barton agreed it was for a 17-unit housing project on Southeast 7th Street. He recalled that the Commission had reviewed the site plan in November in association with a requested partial street vacation. Mayor Naugle believed this was a smart growth measure intended to encourage people to repopulate the downtown area. He saw no reason to hold it up by sending it back to the Planning & Zoning Board. Commissioner Katz did not believe this was a smart growth project because it did not involve other elements; rather, it was a strictly residential project.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING AN AMENDMENT TO A PLAT KNOWN AS "TRIO PLAT".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Vacate Utility Easement - Steven H. Lewis, Trustee (PZ Case No. 8-M-02) (R-8)

A resolution was presented authorizing the following utility easement vacation:

Applicant: Steven H. Lewis, Trustee
Request: Vacate utility easement
Location: 2571 Del Lago Drive

Mr. Steven Buyer, Attorney for the applicant, noted that this was a drainage easement rather than a utility easement. Mayor Naugle explained that it was considered a storm water utility.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 02-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT LYING OVER AND ACROSS THE WEST 8.00 FEET OF LOT 2, "DEL LAGO ISLE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE WEST SIDE OF THE PROPERTY LOCATED AT 2571 DEL LAGO DRIVE, BETWEEN DEL LAGO DRIVE AND THE ESTELLE RIVER, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Reimbursement Resolution for Accelerated Capital Improvement Plan (CIP) Recapitalization Program (R-9)

A resolution was presented declaring the official intent of the City to issue revenue bonds in order to, among other things, reimburse itself from the proceeds of such revenue bonds for funds advanced by the City for certain expenses incurred with respect to the acquisition, construction and equipping of certain capital improvements in the City; and authorizing certain incidental actions.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THE OFFICIAL INTENT OF THE CITY OF FORT LAUDERDALE TO ISSUE REVENUE BONDS IN ORDER TO, AMONG OTHER THINGS, REIMBURSE ITSELF FROM THE PROCEEDS OF SUCH REVENUE BONDS FOR FUNDS ADVANCED BY THE CITY FOR CERTAIN EXPENSES INCURRED WITH RESPECT TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS IN THE CITY OF FORT LAUDERDALE; AND AUTHORIZING CERTAIN INCIDENTAL ACTIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Special Limited Obligation

Revenue Bonds - Pine Crest Preparatory School Project (R-10)

A resolution was presented authorizing the issuance of special limited obligation revenue bonds for the Pine Crest Preparatory School Project in an amount not to exceed \$30,000,000 including the execution of all documents necessary to consummate the issuance of such bonds.

Commissioner Moore wondered if this would place the City at any risk, and the City Manager assured him it would not.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, (THE "CITY") PERTAINING TO THE ISSUANCE BY THE CITY OF ITS CITY OF FORT LAUDERDALE, FLORIDA REVENUE BONDS (PINE CREST PREPARATORY SCHOOL, INC. PROJECT), SERIES 2002, IN AN AGGREGATE PRINCIPAL AMOUNT OF \$30,000,000, FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO PINE CREST PREPARATORY SCHOOL, INC. (THE "BORROWER") FOR CERTAIN CAPITAL EXPENDITURES MADE AND TO BE MADE BY THE BORROWER WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES LOCATED IN THE CITY AND IN THE CITY OF BOCA RATON IN PALM BEACH COUNTY, FLORIDA; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT TO PROVIDE SECURITY FOR SUCH BONDS; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE WITH THE BANK OF NEW YORK TRUST COMPANY OF FLORIDA, N.A.; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS REQUIRED IN CONNECTION WITH THE FOREGOING; AUTHORIZING FORM AND DISTRIBUTION OF THE OFFICIAL STATEMENT; AUTHORIZING THE NEGOTIATED SALE OF THE BONDS WITH BANC OF AMERICA SECURITIES

LLC AND APPROVING THE CONDITIONS OF SUCH SALE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN UNDERWRITING AGREEMENT; APPOINTING AUTHORIZED OFFICERS AND AUTHORIZING AUTHORITY OFFICES TO TAKE ALL ACTIONS IN CONNECTION WITH DELIVERY OF THE BONDS AND OTHER RELATED MATTERS; AND PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

Contract Employee for Traffic Engineering (OB)

A walk on item was presented to authorize temporary help in two areas of engineering management recently impacted by the extended absences of key personnel. It was proposed that Mr. Michael Ciscar, P.E., be retained for a 90-day period at a cost of \$4,846.40 per week for 12 weeks for a total cost of \$58,157.

Commissioner Hutchinson thought this was too much money, and Commissioner Moore agreed. Mr. Greg Kisela, Assistant City Manager, stated that this was a senior staff member from The Corradino Group, and he acknowledged that the hourly rate was expensive. However, this was a discounted rate. Commissioner Hutchinson wondered if the Corradino Group was being paid as well. Mr. Kisela stated that this was a “break even” price, although he understood it was expensive, but the City needed senior resources and talents.

Commissioner Smith felt this should be amended to \$4,000 per week instead of \$4,846.40. He thought staff should go back and renegotiate the price. Mr. Kisela stated that staff would do so if that were the Commission’s desire; however, staff had discussed this with all the City’s consulting teams to address this crisis. He noted that the Corradino Group did not have any current contracts with the City.

Commissioner Moore said he had been concerned about the price as well, but it appeared staff had met with all the entities in Broward County that could possibly provide the necessary services. Mr. Kisela said he had met with or called every individual who did business with the City from the “consulting family,” and they had all identified different resources. He advised that some of those resources had not really been appropriate, and this individual was an ideal fit for the City in terms of traffic. Mr. Kisela noted that staff was still seeking a second individuals to assist with some of the projects. He added that this individual provided similar services to the Department of Transportation at a cost of \$180 per hour, so this was a breakeven, discounted rate.

The City Manager understood the “sticker shock,” but the items of study were very important and of great value. He suggested that the Commission approve this contract for 30 days, rather than 90 days, and staff would attempt to negotiate a better deal for the additional 60 days.

Motion made by Commissioner Smith and seconded by Commissioner Katz to authorize a 30-day task order for the services of Mr. Michael Ciscar, P.E., at a cost of \$121.16 per hour. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Community Services Board

Ruth Marx
Robert H. Smith

Historic Preservation Board

Carolyn Dandy

Parks, Recreation and Beaches Advisory Board

Victoria Pristo-Revier

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-106

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.**

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson and Mayor Naugle. NAYS: none.

At 8:20 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk